

REMARKS

In response to the restriction requirement, applicants elect the invention of Group F (claim 7) with traverse. Further, the applicants elect the species of Sequences as set out in the amended claims.

Inclusion of multiple inventions is permitted in international applications if the inventions are so linked as to form a single general inventive concept (PCT Rule 13.1). Unity of invention exists when there is a technical relationship among the claimed inventions involving one or more of the same special technical features. Special technical features means those technical features that define a contribution which each of the inventions, considered as a whole, makes over the prior art (PCT Rule 13.2).

In the present application, the special technical feature is the diagnosis of neoplasia, prediction of response to cancer treatment, and a kit which include the combination of markers comprising SEQ ID NOs; 361, 363, 379 and 392 as claimed in claims 1, 7 and 10. Thus, all of the claims of the present application should be searched together.

In addition, all of the dependent claims should be searched with the independent claims. If the independent claims satisfy the requirements of unity of invention, no problem with lack of unity arises from the dependent claims. (PCT Rule 13.4) In fact, it does not matter if the dependent claim itself contains a further invention. (Id.). Thus, the further election of species as set out in the restriction requirement should be withdrawn.

Pursuant to 37 CFR 35 U.S.C. §1.98, applicants submit herewith to the U.S. Patent and Trademark Office copies of the references listed on the attached PTO-1449 form. Applicants submit that no fee is due as the information contained on the PTO-1449 form was first cited in a communication from a foreign patent office not more than three months prior to the filing date of this IDS.

Respectfully submitted,

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